

ENTERED

September 01, 2016

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA,

VS.

DAYSON JOSE VARONA-BENITEZ, *et al*,

Defendants.

§
§
§
§
§
§
§

MAGISTRATE JUDGE NO. 2:16-MJ-1089

MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL

A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The following requires detention of the Defendant pending trial in this case:

- (1) There is a serious risk that the Defendant will not appear; and
- (2) There is a serious risk that the Defendant will endanger the safety of another person or the community.

The evidence against the Defendant is substantial. He was attempting to run from Border Patrol when a group of aliens bailed from the vehicle driven by the Defendant. The findings and conclusions contained in the Pretrial Services Report are adopted. The Defendant is a citizen of Cuba who has lived in this country for only one year. His background information has not been verified, and he was attempting to flee when apprehended in this case. This order of detention is entered without prejudice to the Defendant's right to request reconsideration if his background information is verified, he has a place to live, and he can produce a third party custodian.

The Defendant is committed to the custody of the United States Marshal or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 1st day of September, 2016.


B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE